

COPY OF PAPERS
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04/01/02



Practitioner's Docket No. 44-003.060-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: H. MIKKOLA et al.

Application No.: 10/040,885

Group No.: 2131

Filed: January 2, 2002

Examiner: To be assigned

For: METHOD AND SYSTEM FOR ALLOCATING CONVOLUTIONAL ENCODED
BITS INTO SYMBOLS BEFORE MODULATION FOR WIRELESS COMMUNICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

COMPLETION OF FILING REQUIREMENTS
- NONPROVISIONAL APPLICATION

(check and complete this item, if applicable)

- I. ☒ This replies to the Notice to File Missing Parts of Application (PTO-1533)
mailed February 4, 2002.

NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the serial number from the return post card or the attorney's docket number added.

- ☒ A copy of the Notice to File Missing Parts of Application – Filing Date Granted (Form PTO-1533) is enclosed.

NOTE: The PTO requires that a copy of Form PTO-1533 be returned with the response to the notice to file missing parts to the application.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

FACSIMILE

- ☒ deposited with the United States Postal Service with sufficient postage as first class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date:

3/22/02

Signature

Jodie L. Droniak

Jodie L. Droniak

(type or print name of person certifying)

(Completion of Filing Requirements – Nonprovisional Application [5-1] – page 1 of 6)



DECLARATION OR OATH

- II. ☒ No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

NOTE: If the correct inventor or inventors are not named on filing a nonprovisional application under § 1.53(b) without an executed oath or declaration under § 1.63, the later submission of an executed oath or declaration under § 1.63 during the pendency of the application will act to correct the earlier identification of inventorship. 37 C.F.R. § 1.48(f)(1).

OR

- ☐ The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

NOTE: For surcharge fee for filing declaration after filing date complete item VI(3) below.

NOTE: The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. § 1.63:

(A) application number (consisting of the series code and the serial number, e.g., 08/123,456;

(B) serial number and filing date;

(C) attorney docket number which was on the specification as filed;

(D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or

(E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration."

M.P.E.P. § 601.01(a) 7th Ed.

NOTE: Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday, Sunday or holiday within the District of Columbia. 37 C.F.R. § 1.10(c).

(complete (c) or (d), if applicable)

Attached is a

- (c) ☐ Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.
- (d) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

AMENDMENT CANCELLING CLAIMS

- III. ☐ Cancel claims _____ inclusive.

(Completion of Filing Requirements – Nonprovisional Application [5-1] – page 2 of 6)



TRANSMITTAL OF ENGLISH TRANSLATION OF NON-ENGLISH LANGUAGE PAPERS

- IV. ☐ Submitted herewith is an English translation of the non-English language application papers as originally filed. Also submitted herewith is a statement by the translator of the accuracy of the translation. It is requested that this translation be used as the copy for examination purposes in the PTO.

NOTE: For fee processing a non-English application, complete item VI(5) below.

NOTE: a non-English oath or declaration in the form provided by the PTO need not be translated. 37 C.F.R. § 1.69(b).

SMALL ENTITY STATUS

- V. ☐ A statement that this filing is by a small entity

(check and complete applicable items)

- ☐ is attached.
- ☐ A separate refund request accompanies this paper.
- ☐ was filed on _____ (original).

COMPLETION FEES

VI.

WARNING: Failure to submit the surcharge fees where required will cause the application to become abandoned. 37 C.F.R. § 1.53.

NOTE: For effect on fees of failure to establish status, or change status, as a small entity, see 37 C.F.R. § 1.28(a).

1. Filing fee

- ☒ original patent application
(37 C.F.R. § 1.16(a) - \$740.00; small entity - \$370.00) \$ 740.00
- ☐ design application
(37 C.F.R. § 1.16(f) - \$330.00; small entity - \$165.00) \$ _____
- \$ _____

2. Fees for claims

- ☒ each independent claim in excess of 3
(37 C.F.R. § 1.16(b) - \$84.00; small entity - \$42.00) \$ 84.00
- ☒ each claim in excess of 20
(37 C.F.R. § 1.16(c) - \$18.00; small entity - \$9.00) \$ 252.00
- ☐ multiple dependent claim(s)
(37 C.F.R. § 1.16(d) - \$280.00; small entity - \$140.00) \$ _____

(Completion of Filing Requirements - Nonprovisional Application [5-1] - page 3 of 6)



3. Surcharge Fees

- ☒ lat payment of filing fee and/or late filing of original declaration or oath (37 C.F.R. § 1.16(e) - \$130.00); \$ 130.00

NOTE: Even where a facsimile declaration or oath signed by the inventor(s) was part of the originally filed papers, the surcharge fee is required.

NOTE: If both the filing fee and declaration or oath were missing from the original papers, the Office practice under § C.F.R. § 1.16(e) is that only one surcharge Fee need be paid whether the later filed oath or declaration and/or the filing fee are submitted afterwards at the same time or at different times.

4. ☐ Petition and fee for filing by other than all the inventors or a person not the inventor (37 C.F.R. §§ 1.17(l) and 1.47 - \$130.00) \$ _____
- ☐ Fee for processing an application filed with a specification in a non-English language (37 C.F.R. §§ 1.17(k) and 1.52(d) - \$130.00) \$ _____
- ☐ Fee for processing and retention of application (37 C.F.R. §§ 1.21(l) and 1.53(d) - \$130.00) \$ _____
- ☒ Assignment (See "ASSIGNMENT COVER SHEET".) \$ 40.00

NOTE: 37 C.F.R. § 1.21(l) establishes a fee for processing and retaining any application which is abandoned for failing to complete the application pursuant to 37 C.F.R. § 1.53(f) and this, as well as the changes to 37 C.F.R. §§ 1.53 and 1.78, indicate that in order to obtain the benefit of a prior U.S. application, either the basic filing fee or the processing and retention fee of § 1.21(f) within 1 year of notification under § 1.53(f) must be paid.

Total completion fees \$ 1,246.00

EXTENSION OF TIME

VII.

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

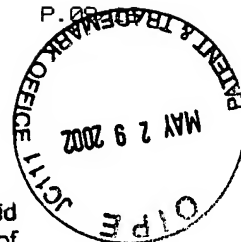
- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$1,440.00	\$ 720.00

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(Completion of Filing Requirements - Nonprovisional Application [5-1] - page 4 of 6)



(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured, and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

or

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

VIII.

The total fee due is

Completion fee(s) \$ 1,246.00

Extension fee (if any) \$ _____

Total Fee Due \$ 1,246.00

PAYMENT OF FEES

IX.

- ☒ Enclosed is a check in the amount of \$ 1,246.00

- ☐ Charge Account No. _____ in the amount of \$ _____
A duplicate of this request is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. § 1.22(b).

Please charge Account No. _____ for any fees that may be due by this paper.

AUTHORIZATION TO CHARGE ADDITIONAL FEES

X.

WARNING: Accurately count claims, especially multiple dependant claims, to avoid unexpected high charges if extra claims are authorized.

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).

- ☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No. 23-0442.

☒ 37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

☒ 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

(Completion of Filing Requirements – Nonprovisional Application [5-1] – page 5 of 6)



- ☐ 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☒ 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a))
- ☐ 37 C.F.R. § 1.17 (application processing fees)

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).

- ☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).

NOTE: 37 C.F.R. § 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application...prior to paying, or at the time of paying...issue fee..." From the wording of 37 C.F.R. § 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

SIGNATURE OF PRACTITIONER

Reg. No. 41,266

James A. Retter
(type or print name of practitioner)

Tel. No.: (203) 261-1234

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Bradford Green, Bldg. Five
755 Main St., P.O. Box 224
Monroe, CT 06468

Customer No. 04955



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/040,885	01/02/2002	Hannu Mikkola	944-003.060-1

CONFIRMATION NO. 8876

004955

 WARE FRESSOLA VAN DER SLUYS &
 ADOLPHSON, LLP
 BRADFORD GREEN BUILDING 5
 755 MAIN STREET, P O BOX 224
 MONROE, CT 06468

FORMALITIES LETTER



CC000000007417731

 COPY OF PAPERS
 ORIGINALLY FILED

04/57/02

Date Mailed: 02/04/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$336.
 - \$252 for 14 total claims over 20.
 - \$84 for 1 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1206.

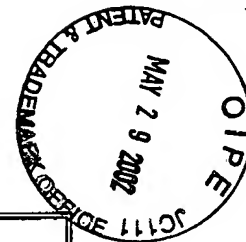
A copy of this notice **MUST** be returned with the reply.

 Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

FACSIMILE TRANSMISSION COVER SHEET

Date: May 29, 2002



TO:	USPTO (Substitute Papers Requested)
COMPANY/FIRM:	
PHONE NO.:	
FACSIMILE NO.:	703-746-4060

FROM:	Jim Retter
COMPANY/FIRM:	Ware, Fressola, Van Der Sluys & Adolphson LLP
PHONE NO.:	(203)261-1234
FACSIMILE NO.:	(203)261-5676

CONFIRMATION BY MAIL: NONumber of pages (including this transmittal page): 16

If facsimile transmission is incomplete, please notify sender at (203)261-1234.

WARE, FRESSOLA, VAN DER SLUYS & ADOLPHSON
BRADFORD GREEN, BUILDING FIVE
755 MAIN STREET, MONROE, CONNECTICUT 06468
TELEPHONE NO. (203) 261-1234
FACSIMILE NO. (203) 261-5676

COMMENTS

Serial No. 10/040,885
Filed: Jan 2, 2002
Our File: 944-3.60-1

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND MAY ALSO BE ATTORNEY-CLIENT PRIVILEGED. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE AGENT OR EMPLOYEE RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE RECEIVED MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov



Application Number	Filing Date	First Named Applicant	Atty. Docket No.
10/040,885	01/02/2002	Mikkola, Hannu	944-003.060-1

4955

WARE FRESSOLA VAN DER SLUYS &
ADOLPHSON, LLP
BRADFORD GREEN BUILDING 5
755 MAIN STREET, P O BOX 224
MONROE CT 06468

RECEIVED
WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON

DOCKETED

MAY 24 2002

FILE 944-003.060-1

Title: Method and system for allocating convolutional encoded ~~and~~ into symbols before modulation for wireless communication

Date Mailed:05/20/2002

Request for Substitute Papers

The papers filed on 04/01/02 (certificate of mailing dated 03/22/02) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated 703-746-4060(OIPE).


Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO strongly prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely replay to this notice within two (2) weeks of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. A copy of this notice should be included with the reply.

The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: James A. Retter Registration No.: 41,266

Signature:  Date: May 28, 2002



Applicant H. MIKKOLA et al.
 For: METHOD AND SYSTEM FOR ALLOCATING CONVOLUTIONAL ENCODED BITS
 INTO SYMBOLS BEFORE MODULATION FOR WIRELESS COMMUNICATION
 Serial No. 10/040,885 Filed: January 2, 2002

The following papers were received in the U.S. Patent and Trademark Office:

<input checked="" type="checkbox"/> Transmittal Completion of*	<input type="checkbox"/> Amendment and/or Response
<input type="checkbox"/> Specification - No. of Pages	<input type="checkbox"/> Info. Disclosure Statement
<input type="checkbox"/> Claims - No. of Pages	<input type="checkbox"/> TM or SM Appl. - No. of Pages
<input type="checkbox"/> Abstract - No. of Pages	<input type="checkbox"/> Specimens - No. of
<input checked="" type="checkbox"/> Decl. and Power of Atty. (2pp)	<input checked="" type="checkbox"/> Fee: \$1,246.00** Enclosed
<input checked="" type="checkbox"/> Assignment (2pp)	<input type="checkbox"/> Drawings - No. of Sheets
<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/> **Check No. 18824
<input checked="" type="checkbox"/> PTO-1533 (1pp)	<input type="checkbox"/> \$740-Filing Fee
<input checked="" type="checkbox"/> PTO-1595 (1pp)	<input type="checkbox"/> 130-Declaration Surch.
<input type="checkbox"/> *Filing Requirements	<input type="checkbox"/> 40-Assignment Record.
<input type="checkbox"/> Nonprovisional Appl.	<input type="checkbox"/> 252-Excess Tot. Claims
(6pp)	<input type="checkbox"/> 84-Excess Ind. Claims
Attorney: JAR	Date Mailed: 3/22/02 Docket No. 944-003.060-1

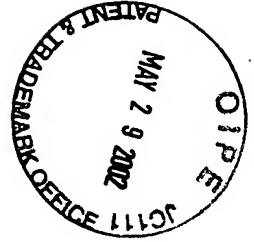
Please date stamp and return

013

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 WARE, FRESSOLA, VAN DER SLUYS
 & ADOLPHSON

APR 5 2002

FILE 944-003.60-1
 ANS'D. *[Signature]*



18824

**WARE, FRESSOLA
VAN DER SLUYS & ADOLPHSON LLP**

765 MAIN STREET, BLDG. 5
MONROE, CT 06468
(203) 281-1234

PEOPLE'S BANK
51-7218-2211

PAY TO THE ORDER OF
ONE THOUSAND TWO HUNDRED FORTY-SIX AND NO/100
DATE
03/21/02
AMOUNT
\$1,246.00
Commissioner of Patents & Trademarks
944-003-060-1

James A. Retter

⑈018824⑈ ⑆221172186⑆ 032 7006860⑈

WARE, FRESSOLA
VAN DER SLUYS & ADOLPHSON LLP

18824

18824
03/21/02
Commissioner of Patents & Trademarks
INVOICE # 032102
944-003-060-1

This check was cashed
by the U.S. P.T.O.
on April 9, 2002.

James A. Retter
James A. Retter
41,266